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Chapter 1 on fundamental issues (page 3). The President has summarized the task of intelligence as that of protecting our national interest and helping avert armed conflicts without impairing our democratic institutions and fundamental freedoms.

1. It must be made clear to all Agency officers that their individual responsibility includes alertness to potential impairments. So far, the requirement communicated to individuals has been limited to an instruction to surface actions which might be, or might be perceived to be, beyond CIA's charter. This is not adequate. Compliance with other laws and Constitutional obligations must be brought within the scope of this instruction.

2. The principle of individual responsibility must be communicated clearly down from top, in part by explicit acceptance of this principle by the leadership of the Agency. Assigning full responsibility for projects to higher authority outside the Agency, even the White House, is not adequate.

3. The climate in the Agency must be such that, on a sustained basis henceforth, officers at all levels must know that they can get receptive hearing for expressions of personal concern and responsibility without fear of adverse affect on their careers. A strengthened I.G. function might help, but the creation and sustaining of such a climate is primarily a task of top leadership.

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4. One way for top leadership to foster the sense of responsibility described above is for top leadership to articulate its own view of the reasonable lines between legitimate intelligence needs and the erosion of individual liberties and Constitutional government. What general guidelines should be used in judging whether activities proposed from above or below are proper? What individual liberties of US citizens at home and abroad should be considered inviolate? What are judged to be the American standards of conduct, within and beyond our shores, that should be upheld as a matter of principle? In short, where between the extremes of "Gentlemen don't read other people's mail" and "All's fair in love and war" does top leadership believe is the proper limitation of intelligence activity? In view of the difficulty of such an inquiry--recognized but left unresolved in Chapter 1 of the Commission's report--it would seem that a dialogue on this subject within the Agency, begun and encouraged by top leadership, could lead to the kind of healthy consideration of the problem that could help each individual to clarify his own understanding of his responsibility in this area.

Recommendations. The DCI should go on the public record with respect to his views on each recommendation in the Commission's report. My comments address only the recommendations about which I have an opinion.

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Recommendations 3-6 on external control.

1. (Recommendation 3.) A joint Congressional committee on intelligence would certainly provide more oversight than the existing subcommittees. It could also be better forum for such needs and concerns as the Agency may need to bring to the attention of the Congress, such as the need for more effective laws to protect legitimate secrets. Within the Congress itself, such a committee could be a vehicle for seeking to insure Congressional responsibility in the protection of intelligence information, sources and methods.

2. (Recommendation 4.) A line item in the budget should deal with intelligence as a whole, not just the CIA. The Commission's purpose in suggesting that the budget of the CIA be more public to at least some extent is to alleviate the problems confronting the CIA because its operations have been conducted in a pervading atmosphere of secrecy. Secrecy has come to be associated in part with dishonest coverup. The public would not be honestly and fully informed about its government's intelligence expenditures if only that part of the budget expended by CIA were disclosed. In addition, the DCI's full responsibility would not be adequately portrayed. The existence of such an item could help the DCI to strengthen his ability to oversee the intelligence community, since presumably he would have to be

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the chief defender of the item. There would thus likely be a further increase in the pressures on non-CIA intelligence components to justify their proposed expenditures to the DCI, and to submit them to his effective scrutiny, so that the elements comprising the overall budget would have his full understanding, approval, and support. This would enhance his ability to manage the allocation and use of all US intelligence resources.

3. (Recommendation 6.) The existence and use of independent authority to prosecute by the Department of Justice would contribute to the acceptance of individual responsibility for compliance with the laws referred to in the section on fundamental issues, above.

Recommendations 7-12 on internal controls.

1. (Recommendation 8.) From the national intelligence point of view, the desiderata relevant to the question of whether an administrative deputy should be appointed include the degree to which such an appointment could assist the DCI to spend more time on substantive matters and on intelligence community matters. The experience of this past spring certainly demonstrates that the DCI needs additional top-level assistance.

2. (Recommendation 12.) As indicated in the discussion of fundamental issues, above, the issuance of guidelines by top management

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is one of several potentially useful steps in communicating throughout the Agency an active employee consciousness of what is proper and an active sense of employee responsibility for compliance with American laws and standards.

Recommendation 21 on unauthorized disclosure.

Legislation such as that endorsed by the Commission should extend to all officers of each branch of government, and not be limited to CIA employees. While no one can say with certainty, the content and circumstances of many of the leaks which have plagued the government strongly suggest that employees or ex-employees of CIA were not the sources. The sense of responsibility toward security of CIA employees is generally quite high. For these people to be singled out by legislation under circumstances in which it is by no means clear that they are the culprits would seem unfair as well as unlikely to get at the root of the problem. Nevertheless, it does seem clear that the tools available for protection of sensitive information, sources and methods are quite inadequate. The inconvenience of compartmentalization, for example, to the people who are attempting to integrate intelligence findings from all sources, hardly seems worth it when even the compartmentalized projects are so often the subject of sensational leaks to the press. Disclosure legislation applicable to all officials of each branch of government who have access to properly classified information would seem appropriate in the present circumstances.

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